

REMARKS

This paper is filed in response to the office action mailed on July 15, 2005 and is accompanied by the filing of a request for continued examination. Claims 1, 2, and 10 have been amended; claims 13-16 have been canceled without prejudice to reinstatement; and claims 17-27 have been added. Claims 1-12 and 17-27 are pending and at issue.

The office action rejects claims 1 and 13 as reciting new subject matter. The Applicants respectfully traverse these rejections. The specification provides support in numerous locations for the continuous operation of the various security devices. See, e.g. [0010] ("continuously generated"), [0013] ("continuously viewed or stored"), [0099] ("continuously generate/collect data"). As such, with any two devices operating continuously, simultaneous operation would result.

Nevertheless, claim 1 has been amended to recite different subject matter, and claim 13 has been canceled and replaced in amended form with new claim 24. It is believed that these amendments obviate the objections to the drawings, as well as the rejections under 35 U.S.C. §112, ¶1. Reconsideration of each of these rejections/objections is therefore respectfully requested.

Despite the cancellation of claims, Applicants do traverse the Examiner's *sua sponte* withdrawal of claims 13-16. The recitations of these claims are commensurate with previous amended versions of claim 1 (see, e.g., May 18, 2004 Amendment) but with additional recitations. Applicants do not believe there are, or that the Examiner has set forth, sufficient grounds for withdrawing the claims. For these reasons the applicants respectfully request that the Examiner reconsider the withdrawal of claims 13-16 by considering the amended version of claim 13 – i.e., claim 24.

The office action has rejected claims 1-4 and 6-9 under 35 U.S.C. § 103 as being unpatentable over a purported combination of five different references; U.S. Patent No. 5,594,806 ("Colbert"); U.S. Patent No. 6,142,876 ("Cumbers"); U.S. Patent No. 6,460,848 ("Soltys"); U.S. Patent No. 5,386,103 ("DeBan"); and newly-cited U.S. Patent No. 5,253,167 ("Yoshida").

Claim 1 has been amended to recite "providing at least one image collection device for obtaining at least one image of an activity associated with the

interior of the gaming machine.” The at least one image collection device is “associated with at least one peripheral of the gaming machine such that the at least one image is automatically collected in response to interaction with the at least one peripheral of the gaming machine.” None of the art of record teaches or suggests, either alone or in combination, the recited subject matter.

As noted in the previous amendment, none of the prior-cited art teaches or suggests using image collection device to obtain image data on the interior of a gaming machine. While the newly-cited Yoshida patent does teach an ATM with internal cameras, there is no suggestion of a camera or other image collection device that is associated with “at least one peripheral of the gaming machine such that the at least one image is automatically collected in response to interaction with the at least one peripheral of the gaming machine,” as now recited in claim 1. Instead, and in contrast, Yoshida requires detecting fault information, communicating that fault information to a remote supervising controller, which then must determine the kind of fault, before sending a command from that supervising controller back to the ATM for camera initiation.

As none of the art of record, whether taken alone or in the purported combination, teaches the recited subject matter, the applicants respectfully request removal of the rejection and confirmation of the allowance of claim 1 and the claims depending therefrom.¹

By amendment above, the applicants have added independent claim 21, which recites:

A method of authorizing use of a card in a gaming machine located in a casino and collecting security data regarding activities occurring at or associated with the gaming machine, the method comprising:

sensing a triggering event at the gaming machine, the triggering event being generated by a person interacting with the gaming machine;

in response to the triggering event, generating first facial image information regarding the person;

¹ The applicants note that dependent claim 5 has been rejected based the same purported combination as claim 1, but with the addition of U.S. Patent No. 5,801,766 (“Alden”). As previously described, Alden merely teaches the transformation of an analog signal to a digital signal and is not directed toward gaming machines or security at gaming machines. That is, Alden also fails to teach the recited subject matter, whether taken alone or in the purported combination.

attempting to obtain current facial image information of a person using said card at said gaming machine via an image capturing device mounted externally on the gaming machine;
in response to obtaining current facial image information, comparing said first facial image information stored on said card with said current facial image information of said person at said gaming machine using said card to confirm that the person using said card is the party to whom the card was issued; and
in response to not being able to obtain current facial image information, generating security data indicating an alarm condition for the gaming machine.

Claim 21 recites subject matter similar to a previously rejected version of claim 1, however claim 21 recites that the attempt to generate first facial image information occurs in response to a triggering event. Furthermore, claim 21 provides that when the gaming machine is not able to obtain current facial image information, for example when the "black out" condition referenced on pages 36 and 37 of the application occurs, then security data indicating an alarm condition is generated.

As none of the art of record, whether taken alone or in any purported combination, teaches the recited subject matter, claim 21 and the claims depending therefrom are in condition for immediate allowance.

With respect to claim 24, Applicants have essentially amended claim 13 to recite that the obtaining of at least one image of an activity associated with the interior of the gaming machine is performed simultaneously with obtaining current facial image information of a person using the card at the gaming machine. As none of the art of record teaches simultaneous image gathering both internally and externally, *a fortiori*, no purported combination of the art could be said to teach such subject matter. Claims 24-27 are in condition for allowance.

Applicants respectfully submit that this application is in a condition for allowance and an early action so indicating is respectfully requested.

A request for one-month extension of time is being filed, along with a request for continued examination, and the respective fees for both. Separately, a sheet authorizing debit of the additional claim fee is also being submitted herewith. It is believed that no other fees are due. However, the Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855.

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